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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: challenges and opportunities in achieving gender equality and the empowerment of rural women and girls

Interactive expert panel on the role of rural women's land rights and land tenure security in reaching the Sustainable Development Goals

Chair's summary

1. On 16 March 2018, the Commission on the Status of Women held an interactive dialogue on the topic "The role of rural women's land rights and land tenure security in reaching the Sustainable Development Goals". The participants in the expert panel exchanged views, experiences and insights on the topic with an emphasis on results achieved, strengthening dialogue and commitment for further action. The Vice-Chair of the Commission, Shah Asif Rahman (Bangladesh), moderated the discussion.

2. The members of the expert panel were: senior legal adviser on gender for the International Development Law Organization, Rea Abada Chiongson; member of the Committee on the Elimination of Discrimination against Women, Naela Gabr; coordinator of education and culture at the Indigenous Women's Network on Biodiversity from Latin America and the Caribbean, Yolanda Terán Maigua; board member of the International Action Network for Gender Equity and Law, Tzili Mor; and head of the Global Urban Observatory at the United Nations Human Settlements Programme (UN-Habitat), Robert P. Ndugwa. Representatives of eight Member States and four civil society organizations engaged in the discussion with the panel members.

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Context

3. Rural women's land rights and land tenure security are inextricably linked with sustainable development, contributing to women's economic empowerment, deterring gender-based violence and promoting gender equality. Rural land in many countries is held under customary and communal systems but around 2.5 billion people, including 370 million indigenous people, lack legally recognized rights. In many rural areas, women hold less than 20 per cent of agricultural land.

4. Global normative frameworks provide a strong basis for addressing challenges faced by rural women in the enjoyment of their land rights. In particular, the rights of rural women are protected under article 14 of the Convention on the Elimination of All Forms of Discrimination against Women. Their rights are also enshrined in other instruments, such as the Convention on Biological Diversity and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity, and the United Nations Declaration on the Rights of Indigenous Peoples.

5. Securing the rights of women to land is instrumental in reducing poverty and enhancing productivity, food security and the health of communities. It also contributes to conservation efforts, the protection of biodiversity and mitigation of the impact of climate change. Land rights for women correlate with several of the Sustainable Development Goals, such as those on education, decent work, climate change and ending hunger. Several indicators for Goals 1 and 5, in particular indicators 1.4.2, 5.A.1 and 5.A.2, are designed to monitor progress on securing women's land rights.

6. Protection of the rights of rural women and girls, stronger institutions, the participation and leadership of women and awareness-raising are needed to address persistent systemic barriers that stand in the way of achieving gender equality and the empowerment of women.

Gender perspectives on land rights and land tenure security

7. Land is traditionally owned through inheritance and marriage and correlates with power and identity. Statutory law and customary land systems sometimes coexist, creating challenges for women in securing their land rights. Disregard for customary systems may prevent women from gaining access to collectively held land, thereby curtailing customary protection of women's land rights.

8. Collaborative land ownership and land-holding systems are important pathways for rural women to acquire formal land rights. Women must have full and informed knowledge of their rights under statutory and customary systems and engage and participate in decision-making to uphold their rights in formal and informal land systems.

9. The commercialization of land through large-scale public and private investments affects the livelihoods of rural women and needs to be addressed. Governments need to hold multinational corporations accountable where their activities affect the enjoyment of land rights by women living in rural areas. Other challenges to women's land rights, such as environmental degradation, conflict, macroeconomic policies and multiple and intersecting forms of discrimination also need to be addressed.

10. The implementation of gender-responsive laws and policies on women's land rights and land tenure security needs to be enhanced and gender-based discrimination in laws, policies and programmes eliminated. Education on human rights, access to justice and effective remedies are needed to fully empower women to claim their land

rights. Capacity-building and training must also target decision makers in government and traditional structures to protect and uphold women's rights to land and land tenure security.

11. Data on rural women's land rights are scarce. The indicators for the Sustainable Development Goals have created momentum for the collection and analysis of quantitative and qualitative data, disaggregated by sex and other factors. Opportunities exist for greater collaboration between Governments and other stakeholders, in particular civil society organizations and development partners, to strengthen data collection and use, as well as to undertake qualitative research on women's land ownership and use and their impact on the empowerment of women and their enjoyment of other rights.

The way forward

12. The 2030 Agenda for Sustainable Development provides a strong framework for a comprehensive approach to realizing gender equality and the empowerment of women and girls living in rural areas. Efforts to implement the 2030 Agenda should therefore include targeted measures for the benefit of such women and girls, with particular focus on ensuring their land rights and land tenure security.

13. Policy advocacy, awareness-raising and capacity-building measures should include a focus on women's land rights. Governments should review and strengthen national legal frameworks, especially where plural legal systems exist, and revise discriminatory laws. Governments should also ensure the implementation of gender-responsive policies on land, in support of the rights, needs and priorities of women living in rural areas.

14. Civil society organizations play a prominent role in raising awareness on women's land rights, challenging negative social norms and gender stereotypes, advocating the implementation of non-discriminatory customary and statutory laws and demanding accountability. Community leaders have a distinct role to play in helping to eliminate discriminatory practices with regard to women owning or inheriting land and property and deciding on related matters.